

**LUMPKIN COUNTY  
BOARD OF COMMISSIONERS**

***Regular Meeting Agenda***

**Dahlonega City Hall  
465 Riley Road  
Dahlonega, Georgia**

**August 16, 2007  
7:00 P.M.**

**I. CALL TO ORDER**

Chairman Gooch

**II. INVOCATION**

Reverend Les Fuller  
Mt. Zion Baptist Church

**III. APPROVAL OF AGENDA**

**IV. PRESENTATION**

**V. APPROVAL OF MINUTES**

- July 19, 2007 Special Called Work Session 4:00 p.m.
- July 19, 2007 Regular Monthly Meeting 7:00 p.m.
- July 26, 2007 Public Hearing 7:00 p.m.
- August 2, 2007 Public Hearing 8:15 a.m.
- August 2, 2007 Appeal Hearing 8:30 a.m.
- August 2, 2007 Work Session 9:00 a.m.
- August 2, 2007 Public Hearing 7:00 p.m.
- August 6, 2007 Special Called Meeting 6:00 p.m.
- August 9, 2007 Special Called Meeting 5:00 p.m.
- August 9, 2007 Joint BOC/Planning Work Session 7:00 p.m.

**VI. REPORTS**

- Department reports are on file in the Board of Commissioners Office
- Elected Officials

**VII. RESOLUTIONS**

- 2007-37 Surplus Property – Old County Shop Buildings Riley Road
- 2007-38 Civil Service – Compensation Plan

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**VIII. CONTRACTS**

- InterAct Public Safety Systems – Software/Hardware Maintenance Renewal
- Teresia L. Satterfield – Cleaning Contract Enotah Circuit Juvenile Judge's Office
- Hall County Board of Health – Pandemic Influenza Plan
- Marsh – Old Republic Insurance Co./Phoenix Aviation Managers, Inc.
  - o General Aviation Airport Liability Insurance Application
- Sport Fields Unlimited, Inc.- Yahoola Creek Baseball Fields
  - o Change Order #1 Deductions
  - o Change Order #2 Fencing
  - o Change Order #3 Musco Lighting System
- Northeast Georgia Probation Services – Private Probation for Superior Court Contract
- Freedom Fire Equipment, LLC - Fire Department Rescue Truck
- ACCG – GSIWCF Safety Discount Verification Form

**IX. OTHER ITEMS**

- Department of Transportation LARP List
- Mark Robinson Hauling – Transfer Station Per Ton Increase
- Public Works Report - Fireside Ridge Subdivision Roads
- Appeal Request Buffer Variance – Twenty-Two Enterprises, LLC
- Request for Land Use Plan Map Amendment – Planning Commission
- Issue Beer & Wine Alcoholic Beverage License  
2007 –20 Rhonda Sheppard for Water's Mill
- Proposed 2008 Budget Hearing – Reschedule Date (8/30/2007 – 6:00 p.m.)

**X. COMMENTS**

- COUNTY MANAGER
- CHAIRMAN
- COMMISSIONER
- COUNTY ATTORNEY
- PUBLIC

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**XI. ANNOUNCEMENTS**

Future Meetings:

**AUGUST**

- |  |                                       |
|--|---------------------------------------|
| ➤ Public Hearing - City Hall<br>(400 North Landfill)   | Aug. 16, 2007 at 6:00 p.m.            |
| ➤ Public Hearing – City Hall<br>(Beer & Wine License-Rhonda Sheppard for Water's Mill)                 | Aug. 16, 2007 at 7:00 p.m.            |
| ➤ <del>Public Hearing – City Hall<br/>(Beer &amp; Wine License-John L. Evans for Montaluce, LLC)</del> | <del>Aug. 16, 2007 at 7:00 p.m.</del> |
| ➤ Public Hearing – City Hall<br>(911 Charge on Voice Over Internet Protocol (VoIP) Connections)        | Aug. 16, 2007 at 7:00 p.m.            |
| ➤ Board Meeting – City Hall<br>(Immediately Following Public Hearings)                                 | Aug. 16, 2007 at 7:00 p.m.            |
| ➤ <del>*Public Hearing Proposed 2008 Budget – City Hall</del>  | <del>Aug. 23, 2007 at 4:00 p.m.</del> |
| ➤ Appeal Hearing – City Hall<br>(Lot Split Laurels on the Etowah Subdivision – Larry Bruno)            | Aug. 23, 2007 at 6:00 p.m.            |
| ➤ Appeal Hearing – City Hall<br>(Lot Split Horseshoe Bend Subdivision – Angie Martinez)                | Aug. 23, 2007 at 7:00 p.m.            |
| ➤ *Public Hearing Proposed 2008 Budget - City Hall   | Aug. 30, 2007 at 6:00 p.m.            |
| ➤ *Public Hearing "Notice of Property Tax Increase"- Courthouse  | <del>Aug. 28, 2007 at 9:00 a.m.</del> |
| ➤ *Public Hearing "Notice of Property Tax Increase"- Courthouse  | <del>Aug. 28, 2007 at 4:00 p.m.</del> |
| ➤ *Public Hearing "Notice of Property Tax Increase"- Courthouse  | <del>Aug. 28, 2007 at 6:00 p.m.</del> |

**SEPTEMBER**

- |  |                            |
|--|----------------------------|
| ➤ Appeal Hearing – City Hall<br>(Lot Split Etowah Shoals Subdivision – Judi MacIntyre) | Sep. 06, 2007 at 8:00 a.m. |
| ➤ Work Session – City Hall   | Sep. 06, 2007 at 9:00 a.m. |
| ➤ Board Meeting – City Hall  | Sep. 20, 2007 at 7:00 p.m. |

\*Requirement 2008 Budget Calendar

**XII. ADJOURN**

Chairman Gooch

## MINUTES OF THE REGULAR MONTHLY MEETING OF THE LUMPKIN COUNTY BOARD OF COMMISSIONERS

August 16, 2007

### CALL TO ORDER

Chairman Gooch called the meeting to order at 7:13 p.m. in the Council Chamber at Dahlonega City Hall. Stephen Gooch, John Raber, Deborah Hutcheson, Clarence Stowers and Clarence Grindle were present.

### INVOCATION

The Reverend Les Fuller of Mt. Zion Baptist Church led the invocation. Chairman Gooch then led the pledge of allegiance.

### APPROVAL OF AGENDA

*Motion: Commissioner Raber made a motion to approve the agenda. This motion was seconded by Clarence Stowers and approved by all district commissioners. Motion carried.*

### APPROVAL OF MINUTES

July 19, 2007 Special Called Work Session 4:00 p.m.  
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August 2, 2007 Work Session 9:00 a.m.  
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August 9, 2007 Special Called Meeting 5:00 p.m.  
August 9, 2007 Joint BOC/Planning Work Session 7:00 p.m.

*Motion: Commissioner Hutcheson moved to approve all the minutes as presented. Clarence Grindle seconded this motion. Commissioners Raber, Hutcheson, Stowers and Grindle voted to approve. Motion carried.*

### REPORTS

Department reports are on file in the Board of Commissioners Office  
Elected Officials

There were no reports or comments from department heads of elected officials.

### RESOLUTIONS

#### 2007-37 Surplus Property – Old County Shop Buildings Riley Road

Chairman Gooch read this resolution to provide for the identification and classification of certain Lumpkin County property as surplus property and to authorize its sale and disposition.

*Motion: Commissioner Raber made a motion to adopt this resolution, which was seconded by Clarence Stowers. All district commissioners approved the motion. Motion carried.*

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Commissioner Raber asked County Attorney Horne if an employee could bid on this surplus property. Horne said he does not know of any restrictions so long as Commissioner Raber stayed at arms length to the bidding.

2007-38 Civil Service – Compensation Plan

Chairman Gooch read this resolution to adopt an amended Civil Service Compensation Plan. He pointed out the attached "Exhibit A" which is the proposed salary scale.

Discussion followed during which it was determined that the Clerk of Court, Probate Court and command staff employees in the Sheriff's department are not under civil service. The Chairman said he is concerned that we give an increase to all non-civil service employees or none.

*Motion: Commissioner Hutcheson moved to table this matter so it can be discussed in executive session later in this meeting. The motion was seconded by Clarence Stowers and approved by all district commissioners. Motion carried.*

**CONTRACTS**

InterAct Public Safety Systems – Software/Hardware Maintenance Renewal

This is maintenance renewal for the CAD InterAct System for E-911.

Term: 7/1/07 - 6/30/08

Amount: \$5,945.00

*Motion: Commissioner Stowers made a motion to approve this contract. John Raber seconded this motion. John Raber, Deborah Hutcheson, Clarence Stowers and Clarence Grindle approved the motion. Motion carried.*

Teresia L. Satterfield – Cleaning Contract Enotah Circuit Juvenile Judge's Office

This is a new contract that covers labor only. All supplies will be furnished by Lumpkin County.

Term: One year from signing of contract.

Amount: \$160.00 per month (\$1,920 for one year)

*Motion: Commissioner Raber moved to approve this contract that was seconded by Clarence Grindle. All district commissioners approved the motion. Motion carried.*

Hall County Board of Health – Pandemic Influenza Plan

Emergency Services Director Don Seabolt explained the purpose of this contract and said it is a draft plan at this point. He said Lumpkin County receives money for doing the plan. The \$3,300.00 check has already been received although the contract has not yet been signed.

Term: 5/01/07 – 5/31/07

*Motion: Commissioner Hutcheson made a motion to approve. This motion was seconded by Clarence Stowers and approved by Commissioners Raber, Hutcheson, Stowers and Grindle. Motion carried.*

Marsh – Old Republic Insurance Co./Phoenix Aviation Managers, Inc.

General Aviation Airport Liability Insurance Application

This renewal application must be submitted after which we will learn what our upcoming year's premium will be. This vote will allow us to go forward with the application. No further vote will be needed on the contract or premium.

Term: 10/01/07 – 10/01/08

Amount: Unknown at this time

*Motion: Commissioner Stowers moved to approve submission of the application. John Raber seconded this motion. John Raber, Deborah Hutcheson, Clarence Stowers and Clarence Grindle approved the motion. Motion carried.*

Sport Fields Unlimited, Inc.- Yahoola Creek Baseball Fields

Change Order #1 Deductions

This change order represents a \$59,050.00 savings to Lumpkin County.

*Motion: Commissioner Stowers moved to approve this change order. This motion was seconded by Clarence Grindle and approved by all district commissioners. Motion carried.*

Change Order #2 Fencing

This change order represents a \$13,825.00 savings to Lumpkin County.

*Motion: Commissioner Hutcheson made a motion to approve this change order, which was seconded by Clarence Stowers. Commissioners Raber, Hutcheson, Stowers and Grindle approved. Motion carried.*

Change Order #3 Musco Lighting System

This change order represents additional labor to be performed and materials to be used at the soccer field.

Amount: \$86,000.00

*Motion: Commissioner Stowers moved to approve this change order. This motion was seconded by Clarence Grindle and approved by all district commissioners. Motion carried.*

Northeast Georgia Probation Services – Private Probation for Superior Court Contract

Judge Barrett said the Superior Court, with permission of the governing authority, must contract for misdemeanor probation services. He is asking for an additional \$1.00 per month per offender as he thinks this will provide added incentive to Northeast Georgia Probation Services. This contract does not have to be bid out because the Chief Judge is permitted to make this recommendation.

Term: January 1, 2007 to December 31, 2008

Amount: \$36.00 per month per offender

*Motion: Commissioner Raber made a motion to approve the contract that was seconded by Clarence Stowers. Commissioners Raber, Hutcheson, Stowers and Grindle voted to approve. Motion carried.*

Freedom Fire Equipment, LLC - Fire Department Rescue Truck

This contract is for a complete 2008 Ford F-550 4 x 4 (4 door) 11 ft. custom rescue apparatus equipped as specified.

Delivery: Within 90 days after receipt of order or \$100.00 per day late fee may be levied

Term: To be paid in full upon acceptance by Lumpkin County Fire/EMS at the Contractor's facility

Amount: \$91,987.00

*Motion: Commissioner Hutcheson moved to approve this contract. The motion was seconded by John Raber and approved by all district commissioners. Motion carried.*

ACCG – GSIWCF Safety Discount Verification Form

This is the annual renewal to receive a 7.5% safety discount on the Group Self-Insurance Workers' Compensation Fund offered by ACCG.

Term: 2008

Amount: 7.5% Discount

*Motion: Commissioner Stowers made a motion to approve applying for this discount. This motion was seconded by John Raber and approved by John Raber, Deborah Hutcheson, Clarence Stowers and Clarence Grindle. Motion carried.*

#### **OTHER ITEMS**

##### Department of Transportation LARP List

Chairman Gooch read the requested list of roads to be resurfaced via the State Local Assistance Road Program in 2008.

*Motion: Commissioner Hutcheson moved to approve submission of this list. This motion was seconded by Clarence Stowers and approved by all district commissioners. Motion carried.*

##### Mark Robinson Hauling – Transfer Station Per Ton Increase

Mr. Robinson is requesting permission to increase charges at the leased County Transfer Station from \$35.00 per ton to \$37.00 per ton. The bag price will remain the same.

*Motion: Commissioner Stowers made a motion to approve this increase. This motion was seconded by John Raber and approved by Commissioners Raber, Hutcheson, Stowers and Grindle. Motion carried.*

##### Public Works Report - Fireside Ridge Subdivision Roads

Public Works Director Eddy Harris said he met with the Fireside Ridge Homeowners' Association President John Quinn after first evaluating the roads of the subdivision with Ben Chitwood. He said Mr. Quinn had not been aware that the roads had been accepted "as is". Harris gave details of his discussion with Mr. Quinn and commented upon slight improvements that could be made by the county around the mailboxes and where the road enters Lewis School Road.

John Quinn spoke about the accepting resolution and said it was never presented to the Homeowners' Association. He said they have been left in the dark regarding the resolution and the road repair maintenance schedule. Another Fireside Ridge resident, Rory Knapton, said when these roads were taken in they were not under the assumption their road would be run down. He acknowledged they put a well in the right-of-way but said they would remove it if necessary.

The Chairman said we do not have a "schedule" for maintenance within the county for any roads but all roads in an area are worked at the same time. The County Manager will go with Harris to look at the road. Commissioner Hutcheson said she thinks a cost analysis is a reasonable request. She also said the Homeowners' Association has the option to have the road returned to them. She said she is not necessarily recommending this.

##### Appeal Request Buffer Variance – Twenty-Two Enterprises, LLC

Twenty-Two Enterprises asked that this matter be postponed until next month.

*Motion: Commissioner Raber made a motion to postpone consideration of this matter until September. This motion was seconded by Deborah Hutcheson and approved by all district commissioners. Motion carried.*

##### Request for Land Use Plan Map Amendment – Planning Commission

Alfred Chang said they do not have any additional comments but reminded the board that the county has always treated this as a commercial property. Chang said he had spoken with the Planning Director regarding the buffers and they were satisfied with the discussion.

Commissioner Hutcheson said she wants it known that Alfred Chang made a contribution to her campaign. The Chairman said he too had received a contribution. Commissioner Stowers say he may also have received a contribution to his campaign from Mr. Chang. Each said this would not affect their vote. Commissioner Stowers then explained this request for those in the audience who did not understand what was being discussed. He said the judge's decision weighed heavily in his opinion concerning this property.

***Motion:** Commissioner Stowers moved to approve this request. The motion was seconded by Clarence Grindle and approved by Commissioners Raber, Hutcheson, Stowers and Grindle. Motion carried.*

Issue Beer & Wine Alcoholic Beverage License  
2007 -20 Rhonda Sheppard for Water's Mill

***Motion:** Commissioner Stowers made a motion to approve this license. The motion was seconded by John Raber and approved by all district commissioners. Motion carried.*

Proposed 2008 Budget Hearing – Reschedule Date (8/30/2007 – 6:00 p.m.)

Finance Director Allison Martin briefed on where we currently stand on the proposed budget. She gave a breakdown on the additional funds from the fund balance that can be used to balance the 2008 budget. She said certain assumptions were made regarding new growth and changes in the salary compensation and classification. The fund balance has grown about \$1 million per year in the past few years.

The Chairman said the numbers stated by the Finance Director would allow a 100% rollback of the assessments to the same dollar value of tax collected last year. The only additional tax collected will be from new growth. Martin's numbers include the approximate \$412,000.00 compensation increase but do not include new hires requested by the Sheriff. Commissioner Raber said if we have to raise taxes a little bit to provide safety to the county we should do that.

***Motion:** Commissioner Raber made a motion to amend this proposed budget to include the \$160,000.00 needed by the Sheriff's Office to hire four additional deputies and to increase taxes the needed amount to achieve this. Clarence Stowers seconded the motion. Commissioner Raber voted in favor of the motion while Commissioners Hutcheson and Stowers were opposed. Commissioner Grindle abstained. Motion failed.*

***Motion:** Commissioner Raber moved to amend the proposed budget to take \$160,000 to \$180,000 from the fund balance to hire four additional deputies for the Sheriff's Office, to provide some of the needed equipment for them, and not to increase taxes to cover this. Clarence Stowers seconded the motion. Commissioners Raber, Stowers and Grindle voted to approve the motion. Deborah Hutcheson voted against the motion. Motion carried.*

Finance Director Martin said she is not comfortable taking this additional amount from the fund balance and cannot support it.

**COURTHOUSE REPORT FROM KING EVANS:**

King Evans from Clough Harbour & Associates said he would now be giving a report every month. He said geo tech testing for the library, health department and courthouse will commence August 20 and take about two weeks. There will then be a survey of the site and the site package will then be bid out.

Evans said in other bids being done by his firm the bids are coming in lower than anticipated using the most qualified contractors. He said all is moving along well and it appears to be \$250,000 under budget so far. King said the building to be built will be 50,000 SF but will be expandable for future needs.

Chestatee Regional Library System Director Claudia Gibson said they heard yesterday that the library is not on the FY2009 list for new building money from the state but is still on the list for FY2010. The Chairman said 2010 is probably more reasonable for Lumpkin County because of the money flow.

*Motion: Commissioner Raber made a motion for the board to instruct the Public Building Authority to go forward with the \$10,000,000.00 bond for the judicial center. The motion was seconded by Clarence Stowers and approved by all district commissioners. Motion carried.*

**COMMENTS**  
**COUNTY MANAGER**

The County Manager had no comments.

**CHAIRMAN**

The Chairman commented on the meeting with State Transportation Board Chairman Mike Evans where the county was presented with a huge official Local Assistance Road Program check. He pointed out that Lumpkin County received more money through LARP than other counties in our region.

**COMMISSIONER**

Commissioner Hutcheson said she attended an ACCG annexation development meeting. She strongly urged the public to look very closely at the impact of getting rid of ad valorem taxes. She pointed out we would be giving up a great deal of local control to the state government. She also thinks we need to put language into the Class I subdivision rules.

**COUNTY ATTORNEY**

The County Attorney had no comments.

**PUBLIC**

King Evans said the new ball fields and new park look great. He commented on the number of people walking around the park and said the county has worked a miracle. Chairman Gooch said for safety we might need to put up some signs to warn people of equipment in the area.

Leon Pirkle, a resident of the county for about 19 months, said he wants to commend the commissioners on "biting the bullet" on public safety. Citizen Ray Prince commended the board and staff for all the work that has gotten us to this point with the budget. He said he thinks they have worked very hard. The Chairman also commended the staff on this matter.

*Motion: Commissioner Hutcheson made a motion to go into executive session. The motion was seconded by Clarence Grindle and approved by all district commissioners. Motion carried.*

The board entered executive session at 9:05 p.m.

*Motion: Commissioner Hutcheson made a motion to come out of executive session at 11:05 p.m. This motion was seconded by John Raber and approved by all district commissioners. Motion carried.*

The Chairman announced that there were no actions taken. However, staff will come back with recommendations on the civil service compensation plan. There will be a report coming in the near future. He also said no action was taken on the matter discussed with the Planning Commission.

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**ADJOURN**

At 11:07 p.m. Chairman Gooch called for a motion to adjourn.

*Motion: Commissioner Hutcheson made a motion to adjourn. This motion was seconded by Clarence Grindle and approved by all district commissioners. Motion carried and the meeting was adjourned.*

10-4-2007  
Date

Stephen W. Gooch  
Stephen W. Gooch, Chairman  
Lumpkin County Board of Commissioners

Attest:

Ruth A. Bohac  
Ruth A. Bohac  
Clerk, Lumpkin County